IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE SIXTH DAY OF AUGUST
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE V.V.S.RAO

-

WRIT PETITION NO : 13872 of 2004

Between:

Sri Karanam Balarama Krishna Murthy Housing Colony Development Society No. 153/04, rep by President P. Shyamala Kandikattu Shyamala W/o Krishna Rao
Social Worker, R/o Mamidipallem,
Ongole, Prakasam District

..... PETITIONER

AND

1. The District Collector, Ongole Prakasam District
2. The Superintendent of Police, Ongole, Prakasham District
3. The Revenue Divisional Officer, Ongole, Prakasham District
4. The Mandal Revenue Officer, Ongole, Prakasham District
5. The Sub-Inspector of Police, Taluka Police Station, Ongole,

Prakasham District

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ, order or direction more particularly one in the nature of Writ of Mandmaus declaring the action of the respondents in making attempts to dispossess the members of the petitioner society from their respective houses, constructed in the plots allotted in D.K. Pattas in Sy. NOs. 122 and 122/12 of Mamidipalem Village, Ongole Mandal, Prakasam District, as illegal, arbitrary and against the principles of natural justice and consequently direct the respondents not to dispossess the members of the society from their respective houses constructed in their respective plots allotted by way of D.K. Pattas.

Counsel for the Petitioner : MR.N.RAVI PRASAD

Counsel for the Respondent Nos.1 to 5: GP FOR REVENUE

The Court at the admission stage made the following :

ORDER:

The petitioner society espouses the cause of its members. It appears that in the year 2000 the Mandal Revenue Officer, Ongole granted house site pattas to the members of the petitioner society in Survey Nos.122 and 122/12 of Mamidipalem village. They allege that on 25.7.2004 and 26.7.2004, the Mandal Revenue Officer, Ongole came with some official elements and damaged the houses of the memers of the petitioner society threatening to evict them. On an apprehension that all the members of the petitioner society might be evicted, they approached this Court, by filing the present writ petition.

At the time of admission itself, on instructions, the learned Assistant Government Pleader for Revenue (Assignment) submits that the writ petition is filed on mere apprehension and the members of the petitioner society will not be evicted without following due process of law. Recording the same, the writ petition is dismissed.

_____

V.V.S. RAO, J

Date : August 6, 2004.

Note:

Issue WIRE at

Party's cost.

(B/o)

YS

ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1. The District Collector, Ongole Prakasam District
2. The Superintendent of Police, Ongole, Prakasham District
3. The Revenue Divisional Officer, Ongole, Prakasham District
4. The Mandal Revenue Officer, Ongole, Prakasham District
5. The Sub-Inspector of Police, Taluka Police Station, Ongole,

Prakasham District

6. Two CCs to the Government Pleader for Revenue,

High Court Buildings, Hyderabad (OUT)

7. Two CD copies.